

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No.55061

Tiona Harris

507 North Point Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on July 1, 2009, for a Hearing on a citation for violations of the Baltimore County Zoning Regulations (BCZR) section 428, 1B01.1D, failure to tag/remove vehicles, failure to remove open dump; Baltimore County Code (BCC) section 13-7-310, failure to remove all junk, trash and debris on residential property known as 507 North Point Road, 21224.

On May 27, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Buc Thompson issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$5,000.00 (five thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on January 13, 2009 requesting removal or tagging of two motor vehicles in the rear yard of Respondent's property. A Citation was issued on February 23, 2009. A Final Order was issued April 3, 2009 imposing a \$500.00 civil penalty unless the vehicles were tagged or removed by April 15, 2009. This Citation was issued on May 27, 2009.

B. Photographs in the file show a silver Honda Odyssey minivan with no front or rear license plate, and a red and white taxicab sedan with no rear license plates. The same vehicles have been on the property since at least January 2009. Court records state that the property is in foreclosure. County zoning regulations prohibit the outside storage of inoperative motor vehicles on a residential lot. Section 428.1(A). The outside storage of unlicensed motor vehicles is also prohibited, except for one vehicle per dwelling unit for a period not exceeding 15 days in any calendar year. Section 428.1(B).

C. Photographs in the file also show junk and trash in the yard, including an old refrigerator lying on its side, and a stack of old automobile tires.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$200.00 (two hundred dollars) if the violations are corrected, with vehicles tagged or removed and all junk and debris removed, by July 29, 2009. If the Respondent fails to correct the violations, then the full civil penalty shall be imposed.

IT IS FURTHER ORDERED that Baltimore County may enter the property for the purpose of removing the untagged motor vehicles at the property owner's expense.

IT IS FURTHER ORDERED that Baltimore County may enter the property for the purpose of removing junk, trash and debris, at the property owner's expense.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 7<sup>th</sup> day of July 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer